

**THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

MICHAEL AND SHELLIE GILMOR,  
et al.,

Plaintiffs,

vs.

PREFERRED CREDIT CORPORATION,  
et al.,

Defendants.

Case No. 4:10-cv-00189-ODS

**UNOPPOSED MOTION FOR LEAVE TO FILE SUGGESTIONS  
IN EXCESS OF PAGE LIMITS ALLOWED BY LOCAL RULE**

Plaintiffs respectfully move the Court for its Order permitting them to file separate Suggestions in Support of their six (6) separate Motions and Applications for Award of Attorneys' Fees, Litigation Expenses and Court Costs in connection with the class action settlement reached with certain Defendants that are in excess of the page limitations set by Local Rule 7.0(f).

In support of this Motion, Plaintiffs state:

1. Plaintiffs have reached separate class action settlements with the following Defendants, each of which were given preliminary approval by the Court:

- (a) Advanta Mortgage Corporation USA (Doc. 804);
- (b) Countrywide Home Loans, Inc. and BAC Home Loans Servicing, L.P. (Doc. 805);
- (c) Deutsche Bank National Trust Company, formerly known as Bankers Trust Company of California, N.A., individually and in its capacities as indenture trustee of the Impac Secured Assets CMN Trust Series 1998-1,

Impac CMB Trust Series 1999-2, Impac CMB Trust Series 2000-2, Impac CMB Trust Series 2001-4, Impac CMB Trust Series 2002-1, Impac CMB Trust Series 2003-5, and Impac Real Estate Asset Trust Series 2006-SD1 (Doc. 828);

- (d) Impac Mortgage Holdings, Inc., IMH Assets Corporation, Impac Funding Corporation, Impac Secured Assets Corporation, Wingspan Portfolio Advisors, LLC (Doc. 803);
- (e) JPMorgan Chase Bank, N.A. as successor by merger to Chase Home Finance, LLC (Doc. 815); and
- (f) Bank of America, N.A., as successor by merger to LaSalle National Bank in its capacity as former trustee for Impac CMB Trust Series 1999-1 (Doc. 802).

2. In connection with each of these settlements, and pursuant to the terms of the separate Settlement Agreements, Plaintiffs are filing separate Motions and Applications for Award of Attorneys' Fees, Litigation Expenses and Court Costs and Suggestions in Support thereof.

3. Plaintiffs seek leave to file Suggestions not to exceed forty (40) pages in support of their Motions and Applications for Award of Attorneys' Fees, Litigation Expenses and Court Costs in connection with each of the settlements. Plaintiffs seek the additional twenty-five (25) pages (in excess of the 15 pages permitted by Local Rule 7.0(f)) in order to explain address each of the requirements of Federal Rule 23 and governing case law as they apply to their application for award of attorneys' fees, litigation expenses and court costs..

4. The excess pages requested by Plaintiffs are necessary to fully describe the terms of each of the settlements and to brief the issues involved with the Plaintiffs' application for award of

attorneys' fees, litigation expenses and court costs in connection with each settlement. Plaintiffs suggest that their briefing will aid the Court in its analysis of each settlement.

5. Plaintiffs' Counsel has communicated this request for excess pages to the counsel for each of the Settling Defendants identified above and all of them have indicated that they do not object to the instant request.

6. This motion is made in good faith and will not prejudice any party.

WHEREFORE, Plaintiffs respectfully move the Court for its Order permitting them to file their separate Suggestions in Support of their six (6) separate Motions and Applications for Award of Attorneys' Fees, Litigation Expenses and Court Costs with certain Defendants (as noted above) that are in excess of the page limitations set by Local Rule 7.0(f), and for any other relief the Court deems just and proper.

Date: February 14, 2013

Respectfully submitted,

WALTERS BENDER STROHBEHN  
& VAUGHAN, P.C.

By: /s/ R. Frederick Walters

R. Frederick Walters – Mo. Bar 25069  
Kip D. Richards – Mo. Bar 39743  
David M. Skeens – Mo. Bar 35728  
Karen W. Renwick – Mo. Bar 41271  
J. Michael Vaughan Mo. – Bar 24989  
Garrett M. Hodes – Mo. Bar 50221  
Matthew R. Crimmins – Mo. Bar 53138  
Bruce V. Nguyen – Mo. Bar 52893  
2500 City Center Square  
1100 Main Street  
P.O. Box 26188  
Kansas City, MO 64196  
(816) 421-6620  
(816) 421-4747 (Facsimile)  
[fwalters@wbsvlaw.com](mailto:fwalters@wbsvlaw.com)  
[krichards@wbsvlaw.com](mailto:krichards@wbsvlaw.com)  
[dskeens@wbsvlaw.com](mailto:dskeens@wbsvlaw.com)  
[krenwick@wbsvlaw.com](mailto:krenwick@wbsvlaw.com)  
[mvaughan@wbsvlaw.com](mailto:mvaughan@wbsvlaw.com)  
[ghodes@wbsvlaw.com](mailto:ghodes@wbsvlaw.com)  
[mcrimmins@wbsvlaw.com](mailto:mcrimmins@wbsvlaw.com)  
[bnguyen@wbsvlaw.com](mailto:bnguyen@wbsvlaw.com)

**ATTORNEYS FOR PLAINTIFFS  
AND CLASS COUNSEL**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this the 14<sup>th</sup> day of February, 2013, I electronically filed the above and foregoing document with the Clerk of Court of the Western District of Missouri using the Court's ECF system, which will send notification of said filing to all counsel of record who are ECF participants. In addition, a copy was served by U.S. mail, First-Class Postage Prepaid, to:

Arthur E. Kechijian, Manager  
United Mortgage C.B., LLC  
P.O. Box 471827  
Charlotte, NC 28247  
**Defendant United Mortgage C.B., L.L.C.**

/s/ R. Frederick Walters